

**IN THE UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO**

IN RE: **MARITZA GUADALUPE DE LEON**CASE NO: **14-03454-ESL**

Debtor(s)

Chapter 13

- AMENDED -

**TRUSTEE'S OBJECTION TO PROPOSED POST CONFIRMATION PLAN MODIFICATION UNDER
SECTION 1329**

*ATTORNEY FEES AS PER R 2016(b) STATEMENT:

Attorney of Record: **ANGEL M EGOZCUE***Total Agreed: **\$500.00** Paid Pre-Petition: **\$500.00** Outstanding (Through the Plan): **\$0.00**

*TRUSTEE'S POSITION RE CONFIRMATION UNDER U.S.C. §1329

Debtor(s) Income is (are) ☐ Under ☒ Above Median Income Liquidation Value: **\$0.00**Commitment Period is ☐ 36 months ☒ 60 months §1325(b)(1)(B) General Unsecured Pool: **\$0.00**With respect to the Proposed "PCM": Dated **SEPTEMBER 8, 2016 (Dkt 49)** Plan Base: **\$25,493.00**The Trustee: ☐ DOES NOT OBJECT ☒ OBJECTS Plan Confirmation Gen. Uns. Approx. Dist.: 28 %

The Trustee objects to confirmation for the following reasons:

[1325(a)(6)] Payment Default Feasibility – Debtor(s) is in default with proposed plan payments, to the trustee and/or creditor(s).

Under the terms of the proposed plan Debtor is 5 months, or \$2,140.00, in arrears with the Trustee. These arrears are in addition to the 4 months in 0.00 Debtor includes in the payment schedule.

Debtor's last payment entered on June 2016.

Upon Debtor's inability, and failure, to make plan payments, it is the Trustee's position that the case should remain dismissed.

Trustee notes that under the confirmed plan, Debtor is 11 months, or \$4,616.00, in arrears with the Trustee.

*OTHER COMMENTS / OBJECTIONS

Trustee hereby objects additional attorney's fees of \$500.00 until above matter is resolved.

NOTICE

14 day notice: Within fourteen (14) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

CERTIFICATE OF SERVICE The Chapter 13 Trustee here with certifies that a copy of this motion has been served via first class mail on the same date as the DEBTOR(S), and to her/his/their attorney through CM-ECF notification system.

/s/ Jose R. Carrion, Esq.
CHAPTER 13 TRUSTEE
PO Box 9023884, San Juan PR 00902-3884
Tel. (787)977-3535 Fax (787)977-3550

Date: February 10, 2017

/s/ Nannette Godreau, Esq.

Last Docket Verified: 54 Last Claim Verified: 10 CMC: KT